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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gust H. Bardy et al. Confirmation No.: 2624
Serial No.: 10/790,903 Examiner: Unknown
Filing Date: March 1, 2004 Group Art Unit: 3762
Docket No.: 1201.1102102 Customer No.: 28075
For: SUBCUTANEOUS ONLY IMPLANTABLE CARDIOVERTER-
DEFIBRILLATOR AND OPTIONAL PACER

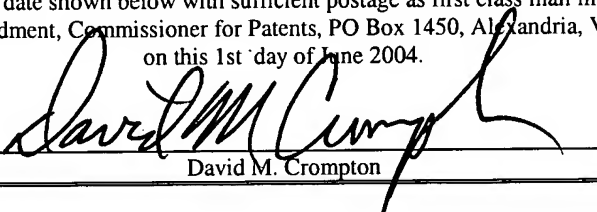
TRANSMITTAL SHEET

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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By


David M. Crompton

We are transmitting herewith the attached:

[]

Amendment

[]

No additional claim fee required

[]

The claim fee has been calculated as shown:

| CLAIMS AS AMENDED | | | | | | | |
|------------------------------------|---------------------|-----------------|-------|--------------|--------------|---------|--------------|
| | (3) | (4) | (5) | SMALL ENTITY | | OTHER | |
| | REMAINING CLAIMS | HIGHEST PAID | EXTRA | RATE | ADD'L FEE | RATE | ADD'L FEE |
| TOTAL CLAIMS | - | = | | X 9= | \$ | X 18= | \$ |
| INDEPENDENT CLAIMS | - | = | | X 43= | \$ | X 86 = | \$ |
| () FIRST MULTIPLE DEPENDENT CLAIM | | | | + 145 = | \$ | + 290 = | \$ |
| TOTAL | | | | \$ | | \$ | |

[] A check in the amount of \$_____ is enclosed. Itemization:

Fee Code _____ \$
Fee Code _____ \$
Fee Code _____ \$

[XX] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[XX] Other: INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449 AND 30 CITED NON-U.S. PATENT/PUBLICATION REFERENCES.

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: 
David M. Crompton, Reg. No. 36,772

David M. Crompton
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349



PATENT

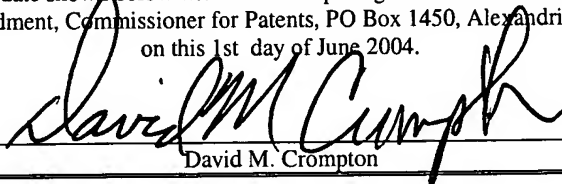
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------|---|-------------------|---------|
| Applicant: | Gust H. Bardy et al. | Confirmation No.: | 2624 |
| Serial No.: | 10/790,903 | Examiner: | Unknown |
| Filing Date: | March 1, 2004 | Group Art Unit: | 3762 |
| Docket No.: | 1201.1102102 | Customer No.: | 28075 |
| For: | SUBCUTANEOUS ONLY IMPLANTABLE CARDIOVERTER- DEFIBRILLATOR AND OPTIONAL PACER | | |

INFORMATION DISCLOSURE STATEMENT

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By


David M. Crompton

Dear Sir:

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R. § 1.56, the documents listed on the attached Form PTO-1449 are hereby disclosed and brought to the attention of the Examiner.

Pursuant to 37 C.F.R. § 1.98(d), the instant application relies on the earlier filing date of prior application Serial No. 09/663,607, filed September 18, 2000, under 35 U.S.C. § 120. The information disclosure statement submitted in the earlier application is in compliance with 37 C.F.R. § 1.98(a)-(c).

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each non-U.S. patent/publication document or other information listed on the enclosed Form PTO-1449 is provided, with the exception of the references cited in the earlier application which are not required to be provided for this application in accordance with 37 C.F.R. § 1.98(d).

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

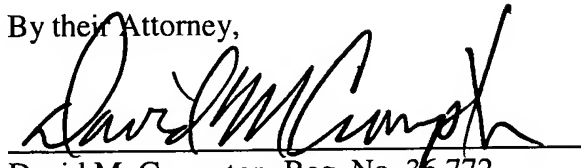
Respectfully submitted,

Gust H. Bardy et al.

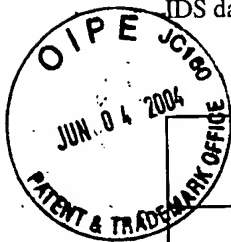
By their Attorney,

Date: _____

6/1/04



David M. Crompton, Reg. No. 36,772
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349



| | | | |
|---|--|-----------------------------------|---------------------------|
| FORM PTO-1449 | | Atty. Docket No.: 1201.1102102 | Serial No.: 10/790,903 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | | Applicant: Gust H. Bardy et al. | |
| | | Customer No.: 2624 | |
| | | Filing Date: March 1, 2004 | Group Art: 3762 |

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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.